

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

GREGORIO RODRÍGUEZ, et al.

Atty. Ref.: 4020-3

Serial No. 10/510,498

TC/A.U.: unknown

Filed: October 7, 2004

Examiner: unknown

For: SYSTEM, APPARATUS AND METHOD FOR SIM-BASED
AUTHENTICATION AND ENCRYPTION IN WIRELESS
LOCAL AREA NETWORK ACCESS

* * * * *

August 19, 2005

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**RESPONSE TO NOTIFICATION OF MISSING
REQUIREMENTS UNDER 35 U.S.C. § 371**

Responsive to the Notification of Missing Requirements mailed June 20, 2005 (a copy of which is attached), it is respectfully submitted that the executed Declaration was filed on May 4, 2005. A copy of the declaration, as filed, and copy of a PTO mail room date-stamped postcard acknowledging receipt of the executed Declaration are attached.

Confirmation of receipt of the executed Declaration is respectfully requested.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____



John R. Lastova
Reg. No. 33,149

JRL:sd
901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100

C#/M#: 4020-3

Serial No.: 10/510,498

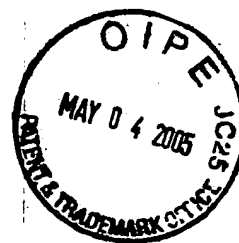
Atty: John R. Lastova

Inventor/s: Gregorio Rodriguez et al Date: May 4, 2005

Title: SYSTEM, APPARATUS AND METHOD FOR
SIM-BASED AUTHENTICATION AND ENCRYPTION IN
WIRELESS LOCAL AREA NETWORK ACCESS

XX Assignment (5 pages incl cover)

**Other: Submission and Change of Address,
Exclusive Substitute Power of
Attorney, and Declaration (2 pgs)**





UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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P.O. Box 1450
Alexandria, Virginia 22313-1450
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| | | |
|---|--|--------------------------------|
| U.S. APPLICATION NUMBER NO. 10/510,498 | FIRST NAMED APPLICANT Jesus Angel De Gregorio Rodriguez | ATTY. DOCKET NO. U 015401-1 |
|---|--|--------------------------------|

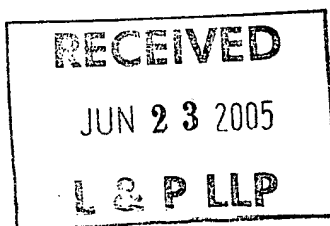
| |
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| INTERNATIONAL APPLICATION NO. |
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PCT/EP02/04865

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|------------------|---------------|
| I.A. FILING DATE | PRIORITY DATE |
|------------------|---------------|

05/01/2002

00140
LADAS & PARRY
26 WEST 61ST STREET
NEW YORK, NY 10023



CONFIRMATION NO. 1556
371 FORMALITIES LETTER



0C000000016324387

Date Mailed: 06/20/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 10/07/2004
- Copy of the International Search Report filed on 10/07/2004
- Copy of IPE Report filed on 10/07/2004
- Request for Immediate Examination filed on 10/07/2004
- U.S. Basic National Fees filed on 10/07/2004

DOCKETED
CLT/MATTER # 4020-3
MAIL DATE 6/20/05
DUE DATE Aug 20, 2005
FINAL DEADLINE Jan 20, 2005
DOCKETED BY [Signature]

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of **\$250** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- **\$130** Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$380** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.

- Total additional claim fee(s) for this application is \$ 250

- \$250 for 5 total claims over 20.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

LAMONT M HUNTER

Telephone: (703) 308-9140 EXT 201

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/510,498 | PCT/EP02/04865 | U 015401-1 |

FORM PCT/DO/EO/905 (371 Formalities Notice)

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

| | | |
|---|--|---|
| TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371 | | ATTORNEY'S DOCKET NUMBER 4020-3 |
| | | U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/510,498 |
| INTERNATIONAL APPLICATION NO. PCT/EP02/04865 | INTERNATIONAL FILING DATE 01 May 2002 | PRIORITY DATE CLAIMED |
| TITLE OF INVENTION SYSTEM, APPARATUS AND METHOD FOR SIM-BASED AUTHENTICATION AND ENCRYPTION IN WIRELESS LOCAL AREA NETWORK ACCESS | | |
| APPLICANT(S) FOR DO/EO/US GREGORIO RODRIGUEZ et al. | | |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: | | |
| <ol style="list-style-type: none">1. <input type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.4. <input type="checkbox"/> The US has been elected (Article 31).5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))<ol style="list-style-type: none">a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).b. <input type="checkbox"/> has been communicated by the International Bureau.c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).<ol style="list-style-type: none">a. <input type="checkbox"/> is attached hereto.b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))<ol style="list-style-type: none">a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).b. <input type="checkbox"/> have been communicated by the International Bureau.c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.d. <input type="checkbox"/> have not been made and will not be made.8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). <p>Items 11 to 20 below concern document(s) or information included:</p> <ol style="list-style-type: none">11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.13. <input type="checkbox"/> A preliminary amendment.14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.15. <input type="checkbox"/> A substitute specification.16. <input type="checkbox"/> A power of attorney and/or change of address letter.17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). | | |

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| U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/510,498 | | INTERNATIONAL APPLICATION NO. PCT/EP02/04865 | | ATTORNEY'S DOCKET NUMBER 4020-3 | |
| 20. Other items or information: | | | | | |
| The following fees have been submitted | | | | CALCULATIONS | PTO USE ONLY |
| 21. <input type="checkbox"/> Basic national fee (37 CFR 1.492(a))..... \$300 | | | | \$ | |
| 22. <input type="checkbox"/> Examination fee (37 CFR 1.492(c)) | | | | \$ | |
| If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0 | | | | \$ | |
| All other situations..... \$200 | | | | | |
| 23. <input type="checkbox"/> Search fee (37 CFR 1.492(b)) | | | | \$ | |
| If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0 | | | | | |
| Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100 | | | | | |
| International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB..... \$400 | | | | | |
| All other situations..... \$500 | | | | | |
| TOTAL OF 21, 22 and 23 = | | | | | |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. | | | | | |
| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE | | |
| - 100 = | /50 = | | x \$250 | \$ | |
| Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)). | | | | \$ | 130.00 |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | \$ | |
| Total claims | 25 - 20 = | | x \$ 50 | \$ | 250.00 |
| Independent claims | 3 - 3 = | | x \$200 | \$ | |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | + \$360 | \$ | |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$ | |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2. | | | | | |
| SUBTOTAL = | | | | \$ | 380.00 |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)). | | | | \$ | |
| TOTAL NATIONAL FEE = | | | | \$ | 380.00 |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property | | | | \$ | |
| TOTAL FEES ENCLOSED = | | | | \$ | 380.00 |
| | | | | Amount to be refunded: | \$ |
| | | | | Amount to be charged | \$ |

08/24/2007 CFREY1 00000148 10510498

01 FC:161 130.00 OP
 02 FC:161 250.00 OP

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- a. ☒ A check in the amount of \$ 380.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-1140. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Customer Number: 23117

Telephone: (703) 816-4000
JRL:sd


SIGNATURE

John R. Lastova

NAME

33,149

REGISTRATION NUMBER

Aug. 19, 2005

Date